REMARKS

I. Introduction

The present amendment is filed in response to the Office Action dated March 5, 2004 for the above-identified patent application. The specification and abstract of the above-referenced application has been amended to remove minor informalities. Claims 1-11 have been canceled, and new claims 12-22 have been added, which include many technical features of now cancelled claims 1-11. Accordingly, claims 12-22 are now under consideration in this application. No new matter has been added.

II. Objections to the Abstract and Specification

The examiner has objected to the abstract because it should be one paragraph with no spaces or indents. Applicant submits herewith a corrected version of the abstract on a separate sheet.

The examiner has stated that "dibromotetrafluoroethylene" is misspelled on page 3, line 10. The examiner has also stated that the specification refers to "authors" at pages 6 and page 8, although the application presently has only one inventor. Applicant has amended the specification accordingly to address the Examiner's comments. No new matter has been added.

The examiner has acknowledged applicant's claim of foreign priority but notes that the applicant has not filed a certified copy of the application as required by 35 U.S.C. 119(b). A certified copy of the foreign priority application shall be filed after the Notice of Allowance has issued for this case.

The examiner states that there is no "Drawing description" section in the specification. Applicant respectfully submits that drawings were not presented in the application and thus no "Drawing description" section is required.

III. Objections to the Claims

Claims 1-11 have been canceled, and new claims 12-22 have been added. The changes to the claims have been made for reasons not related to patentability but rather to correct the informal matters raised in the examiner's claim objections. In particular, the examiner has objected to the term "EM" in claim 1. In new claim 12, which substantially corresponds to original, now cancelled claim 1, the term "EM" has been replaced with "equivalent mass" to address the objection. (*See,* e.g., Specification page 1, line 32) The examiner has suggested that "copolymer of ion exchange" should be replaced with "ion exchange copolymer." Applicant has replaced "copolymer of ion exchange" with "ion exchanged copolymer" in claim 12 to address the objection. The examiner has stated that "hydrolyzed" has been misspelled in claims 2, 3, 8, and 9. The examiner has also stated that a word is missing in claim 9 between "monomer" and "from." New claims 13, 14, 19, and 20 are now presented to address the corresponding objections.

IV. Rejections Under 35 U.S.C. § 112 Should Be Withdrawn

Claims 2-5, 9, 10, and 11 have been rejected under 35 U.S.C. §112, second paragraph, as being allegedly indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Examiner alleges that the use of "characterized" in between the preamble and the body of claims 2-5, 9, 10, and 11 is improper claim language. New claims 13-16, 20, 21, and 22, which substantially correspond to original claims 2-5, 9, 10, and 11, are presented to address this rejection. The examiner states that claims

2 and 3 should recite "perfluorosulfate" rather than "perfluorosulfide." New claims 13 and 14, corresponding to rejected claims 2 and 3, are presented to address this rejection. Therefore, it is respectfully submitted that claims 13-22 as written are not indefinite under 35 U.S.C. §112, second paragraph.

V. Rejection Under 35 U.S.C. § 102 Should Be Withdrawn

Claims 1, 2, 4, 7, 8, and 10, which substantially corresponds to new claims 12, 13, 15, 18, 19, and 21, have been rejected under 35 U.S.C. § 102(b) as unpatentable in view of U.S. Patent No. 4,453,991 to Grot. The examiner alleges that Grot discloses a liquid composition of a perfluorinated ion exchange polymer.

To render a claim anticipated under 35 U.S.C. § 102, a single prior art reference must disclose each and every element of the claim in exactly the same way. *See Lindeman Machinenfabrik v. Am Hoist and Derrick*, 730 F.2d 1452, 1458 (Fed. Cir. 1984). New independent claims 12 and 18, which substantially correspond to cancelled claims 1 and 7, recite **a polymer having an equivalent weight of greater that 1500**. In contrast, Grot discloses an equivalent weight in the range of 1025 to 1500. Moreover, Grot discloses that polymers of this range are undesirable due to fractionation of the polymer. In addition, Grot states that the process is especially useful for polymers having an equivalent weight in the lower equivalent weight range of 1050 to 1250. (*See* Grot, col. 6, lines 11-29). Thus, Grot undoubtedly teaches away from the recitations of the present invention. For at least this reason it is absolutely clear that Grot does not disclose each and every element recited in independent claims 12 and 18. Moreover, since new claims 13, 15, 17, 18, and 21, which substantially correspond to rejected claims 2, 4, 7, 8, and 10, depend from new claims 12 and 18, these dependent claims are also not anticipated by Grot for at least the same reasons.

Therefore, in view of the foregoing, reconsideration and withdrawal of the § 102(b) rejection of claims 1, 2, 4, 7, 8, and 10 as anticipated by U.S. Patent No. 4,453,991 to Grot is respectfully requested.

VI. Rejections Under 35 U.S.C. § 103 Should Be Withdrawn

Now cancelled claims 3 and 9, which substantially correspond to new claims 14 and 20, have been rejected under 35 U.S.C. §103(a) as being unpatentable in view of U.S. Patent No. 4,453,991 to Grot, further in view of JP 11-130743.

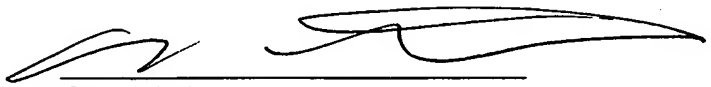
For at least the reasons stated above, Grot fails to teach or suggest all the recitations of new independent claims 12 and 18, and thus claims 14 and 20 which depend therefrom, respectively. JP 11-130743 does not cure the deficiencies of Grot to teach or suggest the recitations of claims 14 and 20. Thus, for at least this reason, claims 14 and 20 are not obvious in view of U.S. Patent No. 4,453,991 to Grot further in view of JP 11-130743.

Therefore, in view of the foregoing, reconsideration and withdrawal of the § 103(a) rejection of now-cancelled claims 3 and 9, which substantially correspond to new claims 14 and 20, as obvious in view of U.S. Patent No. 4,453,991 to Grot, further in view of JP 11-130743 is respectfully requested.

VII. Conclusion

In view of the foregoing amendments and remarks, reconsideration and allowance of claims 12-22 is respectfully requested.

Respectfully submitted,



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